

Order

Michigan Supreme Court
Lansing, Michigan

March 6, 2009

Marilyn Kelly,
Chief Justice

138253 & (16)(17)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

TACCO FALCON POINT, INC.,
Plaintiff-Appellant,

v

SC: 138253
COA: 290313
Oakland CC: 2002-042917-CZ

DAVID M. CLAPPER,
Defendant/Third-Party
Plaintiff/Appellee,

v

AMERICAN REALTY TRUST, INC., ART
MIDWEST, L.P., and AMERICAN REALTY
INVESTORS, INC.,
Third-Party Defendants.

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the February 12, 2009 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court. The motion for stay is DENIED.



0303

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 6, 2009

Corbin R. Davis

Clerk